



Janet Napolitano  
Governor

Victor M. Mendez  
Director

ORIGINAL

# Arizona Department of Transportation

## Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213



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04m

May 16, 2005

John A. Bogert  
Chief of Staff

Mr. Mark Stern  
Administrative Law Judge  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Arizona Corporation Commission

**DOCKETED**

MAY 17 2005

DOCKETED BY	<i>KW</i>
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AZ CORP COMMISSION  
DOCUMENT CONTROL

2005 MAY 17 A 8:23

RECEIVED

Re: Docket No.: RR-03639A-05-0327  
Project No.: STP 085-B-602  
Federal Aid Project No.: STP 085-B (013)  
TRACS No.: 085 MA 150 H5955 44U  
Agreement No.: 2421-04-UPRR and Addendum #1  
Highway: Gila Bend-Buckeye Highway  
Location: SR 85 Jct. I-10 to Gila River Bridge  
AAR/DOT No.: 741 769X and 922 558V  
Company: Union Pacific Railroad

Dear Judge Stern:

This is to certify that notification has been made to the Town of Buckeye, Maricopa County and the Union Pacific Railroad concerning the public hearing on the subject project. Enclosed with this original certification are thirteen (13) additional copies, along with the corresponding copies of the notification letters, the Procedural Order and proof of certified mailing of the notification letters. If you should have any questions, please do not hesitate to call me at (602) 712-8648.

Sincerely,

Michael F. Delleo, Jr., P.E.  
State Railroad Liaison  
Utility & Railroad Engineering Section  
205 South 17<sup>th</sup> Avenue Mail Drop 618E Phoenix, Arizona 85007  
Phone 602 712-8648 Fax 602 712-3229



2001 Award Recipient



**Arizona Department of Transportation**  
**Intermodal Transportation Division**

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano  
Governor

Victor M. Mendez  
Director

John A. Bogert  
Chief of Staff

May 16, 2005

James H. Smith  
Manager Industry and Public Projects  
Union Pacific Railroad  
10031 Foothills Blvd.  
Roseville, CA 95747

Re: Project No.: STP 085-B-602  
Federal Aid Project No.: STP 085-B (013)  
TRACS No.: 085 MA 150 H5955 44U  
Agreement No.: 2421-04-UPRR and Addendum #1  
Highway: Gila Bend-Buckeye Highway  
Location: SR 85 Jct. I-10 to Gila River Bridge  
AAR/DOT No.: 741 769X and 922 558V  
Company: Union Pacific Railroad

Dear Mr. Smith:

By order of the Arizona Corporation Commission, enclosed is a copy of the Procedural Order with regard to changes to be made in railroad crossings on SR 85 as a result of the subject project. Also enclosed is a copy of the application, which was submitted to the Commission by ADOT for approval of the project. A public hearing on the project will be held at 10:30 am on June 8, 2005, in the Commission's offices at 1200 West Washington Street, Phoenix, Arizona. Please direct your comments, or objections, concerning this order to the Commission. Thank you.

Sincerely,

Michael F. Delleo, Jr., P.E.  
State Railroad Liaison  
Utility & Railroad Engineering Section  
205 South 17<sup>th</sup> Avenue Mail Drop 618E Phoenix, Arizona 85007  
Phone 602 712-8648 Fax 602 712-3229



2001 Award Recipient



# Arizona Department of Transportation

## Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano  
Governor

Victor M. Mendez  
Director

May 16, 2005

John A. Bogert  
Chief of Staff

Town Manager  
Town of Buckeye  
100 N. Apache Road  
Buckeye, AZ 85326

Re: Project No.: STP 085-B-602  
Federal Aid Project No.: STP 085-B (013)  
TRACS No.: 085 MA 150 H5955 44U  
Agreement No.: 2421-04-UPRR and Addendum #1  
Highway: Gila Bend-Buckeye Highway  
Location: SR 85 Jct. I-10 to Gila River Bridge  
AAR/DOT No.: 741 769X and 922 558V  
Company: Union Pacific Railroad

Dear Sir:

By order of the Arizona Corporation Commission, enclosed is a copy of the Procedural Order with regard to changes to be made in railroad crossings on State Route 85 as a result of the subject project. Also enclosed is a copy of the application, which was submitted to the Commission by ADOT for approval of the project. A public hearing on the project will be held at 10:30 am on June 8, 2005, in the Commission's offices at 1200 West Washington Street, Phoenix, Arizona. Please direct your comments, or objections, concerning this order to the Commission. Thank you.

Sincerely,

Michael F. Delleo, Jr., P.E.

State Railroad Liaison

Utility & Railroad Engineering Section

205 South 17<sup>th</sup> Avenue Mail Drop 618E Phoenix, Arizona 85007

Phone 602 712-8648 Fax 602 712-3229



2001 Award Recipient



**Arizona Department of Transportation**  
**Intermodal Transportation Division**  
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano  
Governor

John A. Bogert  
Chief of Staff

Victor M. Mendez  
Director

May 16, 2005

Mr. David R. Smith  
County Administrative Officer  
Maricopa County  
301 W. Jefferson  
Phoenix, AZ 85003

Re: Project No.: STP 085-B-602  
Federal Aid Project No.: STP 085-B (013)  
TRACS No.: 085 MA 150 H5955 44U  
Agreement No.: 2421-04-UPRR and Addendum #1  
Highway: Gila Bend-Buckeye Highway  
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Company: Union Pacific Railroad

Dear Mr. Smith:

By order of the Arizona Corporation Commission, enclosed is a copy of the Procedural Order with regard to changes to be made in railroad crossings on State Route 85 as a result of the subject project. Also enclosed is a copy of the application, which was submitted to the Commission by ADOT for approval of the project. A public hearing on the project will be held at 10:30 am on June 8, 2005, in the Commission's offices at 1200 West Washington Street, Phoenix, Arizona. Please direct your comments, or objections, concerning this order to the Commission. Thank you.

Sincerely,

Michael F. Delleo, Jr., P.E.  
State Railroad Liaison  
Utility & Railroad Engineering Section  
205 South 17<sup>th</sup> Avenue Mail Drop 618E Phoenix, Arizona 85007  
Phone 602 712-8648 Fax 602 712-3229



1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

2005 MAY -9 A 10: 08

3 JEFF HATCH-MILLER, Chairman  
4 WILLIAM A. MUNDELL  
5 MARC SPITZER  
6 MIKE GLEASON  
7 KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

8 IN THE MATTER OF THE APPLICATION OF  
9 THE ARIZONA DEPARTMENT OF  
10 TRANSPORTATION TO UPGRADE A  
11 CROSSING OF THE UNION PACIFIC  
12 RAILROAD AT GILA BEND-BUCKEYE  
13 HIGHWAY IN MARICOPA COUNTY, ARIZONA,  
14 AAR/DOT NOS. 741 769X AND 922 558V.

DOCKET NO. RR-03639A-05-0327

PROCEDURAL ORDER

15 **BY THE COMMISSION:**

16 On May 4, 2005, the Arizona Department of Transportation ("ADOT") filed with the Arizona  
17 Corporation Commission ("Commission") a request for approval for the Union Pacific Railroad  
18 ("Railroad") to upgrade a crossing at Gila Bend-Buckeye Highway in Maricopa County, Arizona at  
19 AAR/DOT Nos. 741 769X and 922 558V.

20 IT IS THEREFORE ORDERED that the request of the Arizona Department of Transportation  
21 shall be considered an application for the Railroad to upgrade a public railroad crossing pursuant to  
22 A.R.S. § 40-337, et seq.

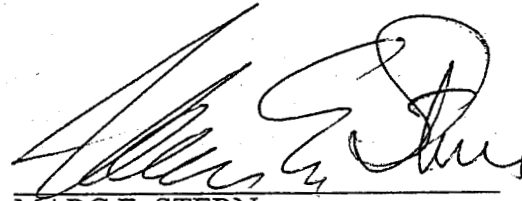
23 IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this  
24 proceeding.

25 IT IS FURTHER ORDERED that the hearing on the application shall be held on June 8,  
26 2005, at 10:30 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West  
27 Washington Street, Phoenix, Arizona.

28 IT IS FURTHER ORDERED that within five business days of receipt of this Procedural  
Order, the Arizona Department of Transportation shall provide the Railroad and Maricopa County  
and any other municipality or interested party that may be affected by the application with a copy of  
the application and this Procedural Order by certified mail.

IT IS FURTHER ORDERED that the ARIZONA DEPARTMENT OF  
TRANSPORTATION SHALL FILE WITH THE COMMISSION'S DOCKET CONTROL AN  
ORIGINAL AND THIRTEEN (13) COPIES OF PROOF OF COMPLIANCE with this  
Procedural Order concurrently with the mailing of notice ordered herein.

DATED this 9<sup>TH</sup> day of May, 2005

  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered  
this 9 day of May, 2005 to:

Michael F. Delleo, Jr.  
State Railroad Liaison  
Arizona Department of Transportation  
206 S. 17<sup>th</sup> Avenue  
Phoenix, AZ 85007

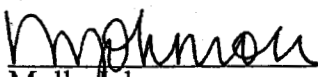
David Gibson  
Arizona Department of Transportation  
Traffic Records Section  
206 S. 17<sup>th</sup> Avenue, MD 064R  
Phoenix, AZ 85007

James H. Smith  
Union Pacific Railroad  
10031 Foothill Blvd.  
Roseville, CA 95747

Christopher Kempley, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Don Thompson, Chief  
Railroad Safety Section  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.  
2627 North Third Street, Ste. Three  
Phoenix, AZ 85004-1103

By:   
Molly Johnson  
Secretary to Marc Stern

**RECEIVED**

**MAY 11 2005**

**UTILITY & RAILROAD  
ENGINEERING SVCS.**

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0022 0577 6191

Postage	\$	Town Manager Town of Buckeye Postmark Here 100N. Apache Rd. Buckeye, AZ 85326
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Recipient's Name (Please Print Clearly) (To be completed by mailer)  
 Town Manager  
 Street, Apt. No.; or PO Box No.  
 100 N. Apache Rd.  
 City, State, ZIP+4  
 Buckeye AZ 85326

PS Form 3800, February 2000 See Reverse for Instructions

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0022 0577 6184

Postage	\$	Mr David R S Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Recipient's Name (Please Print Clearly) (To be completed by mailer)  
 David R Smith County Admin Officer  
 Street, Apt. No.; or PO Box No.  
 Maricopa County 301 W. Jefferson  
 City, State, ZIP+4  
 Phoenix AZ 85003

PS Form 3800, February 2000 See Reverse for Instructions

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0022 0577 6207

Postage	\$	Mr. James H. Smith Manager, Industry & Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Recipient's Name (Please Print Clearly) (To be completed by mailer)  
 James H. Smith Union Pacific R.R.  
 Street, Apt. No.; or PO Box No.  
 10021 Foothills Blvd  
 City, State, ZIP+4  
 Denver, CO 80231

PS Form 3800, February 2000 See Reverse for Instructions